

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GARY AND TANYA MESSERSMITH
d/b/a JEFF AND JAN'S COIN LAUNDRY

V.

NATIONWIDE MUTUAL FIRE
INSURANCE COMPANY AND
FELICIA A. ZIMMER

§
§
§
§
§
§
§

CIVIL ACTION NO. 3:13-cv-4101-P

AGREED STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiffs Gary and Tanya Messersmith d/b/a Jeff and Jan's Coin Laundry and Defendants Nationwide Mutual Fire Insurance Company and Felicia Zimmer (collectively the "Defendants") hereby file this Agreed Stipulation of Dismissal With Prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(ii).

1. Plaintiffs filed suit against Defendants related to property damage allegedly resulting from a wind and hail storm that occurred on or about April 16, 2013.

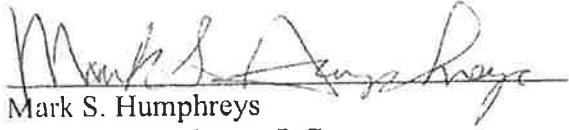
2. Plaintiffs and Defendants have since resolved their differences to their mutual satisfaction.

3. Plaintiffs move to dismiss the entire suit with prejudice. Defendants agree to the dismissal.

4. This case is not a class action, and a receiver has not been appointed.

5. This dismissal is with prejudice. The parties will bear their own costs of suit.

Respectfully submitted,



Mark S. Humphreys
Mark S. Humphreys, P.C.
Texas Bar No. 00789762
702 Dalworth Street
Grand Prairie, Texas 75050
Telephone (972) 263-3722
Facsimile (972) 237-1690

**ATTORNEYS FOR PLAINTIFFS,
GARY AND TANYA MESSERSMITH**

/s/ Patrick M. Kemp

Patrick M. Kemp
Texas Bar No. 24043751
pkemp@smsm.com
SEGAL MCCAMBRIDGE SINGER & MAHONEY,
LTD.
100 Congress Ave., Suite 800
Austin, Texas 78701
Telephone (512) 476-7834
Facsimile (512) 476-7832

**ATTORNEYS FOR DEFENDANTS,
NATIONWIDE MUTUAL FIRE
INSURANCE COMPANY AND
FELICIA ZIMMER**

CERTIFICATE OF SERVICE

I, the undersigned counsel, certify that a true and correct copy of the foregoing has been served upon the following counsel of record via CM/ECF on this the 16th day of September, 2014:

Mark S. Humphreys
MARK S. HUMPHREYS, P.C.
702 Dalworth Street
Grand Prairie, Texas 75050

/s/ Patrick M. Kemp

Patrick M. Kemp